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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,080	09/04/2001	Junko Fukuda	213304US6	1165
22850 7590 10/12/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER CASCHERA, ANTONIO A	
			ART UNIT 2628	PAPER NUMBER
			NOTIFICATION DATE 10/12/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	Application No. 09/944,080	Applicant(s) FUKUDA ET AL.	
	Examiner Antonio A. Caschera	Art Unit 2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 23 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-9,11,13-17,19,21-25,27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,5-9,11,13-17,19,21-25,27 and 29-32 is/are allowed.
- 6) ☒ Claim(s) 33-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 7/23/2007.

### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in the pending application.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 33-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In reference to claims 33-36, the claims comprise the limitation of, "...said configuration of at least one of the plurality of hardware input/output devices configures at least one of an external monitor output, a television output, screen luminance, and output volume," (see lines 3-5 of claim 33, for example) which is indefinite as the Office is unclear as to which limitation(s) the above passage of the claim refers to from independent claims 17, 19, 25 and 27 from which claims 33-36 depend upon respectively. Further, there is no mentioning of "configuring" of

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“hardware input/output” devices in any of claims 17, 19, 25 and 27 therefore such limitations of claims 33-36 fail to particularly claim the subject matter which Applicant regards as the invention.

The Office poses the question, does Applicant mean to equate the “configuring” of “hardware input/output” devices of claims 17, 19, 25 and 27 to the displaying and/or selection of processing items as recited in claims 17, 19, 25 and 27? The Office is genuinely unsure as to what exactly the above limitation comprised within claim 33-36 truly signifies and therefore requires a clarification/amendment to the claims to overcome this rejection and distinctly and clearly claim subject matter which Applicant regards as the invention.

#### ***Response to Arguments***

4. The cancellation of claims 37-44 is noted.
5. Applicant’s arguments, see pages 20-24 of Applicant’s Remarks, filed 06/26/07, with respect to 35 USC 103(a) rejection of claims 1, 3, 5-9, 11, 13-17, 19, 21-25, 27 and 29-36 have been fully considered and are persuasive. The prior art rejection of the claims has been withdrawn.

#### ***Allowable Subject Matter***

6. Claims 1, 3, 5-9, 11, 13-17, 19, 21-25, 27 and 29-32 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

In reference to claims 1, 9, 17 and 25, the prior art of record (Bird (U.S. Patent 5,341,154), Miyagawa et al. (U.S. Patent 5,594,619), Crooks et al. (U.S. Patent 5,208,736) and

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Isashi (U.S. Patent 5,898,600)) does not explicitly disclose the information processing device as claimed including the first and second processing/operating means/units, one of which is located outside a display body of the device, separate from the keyboard configured to be operable when the display body is in each of an open position and turned rotated position and the other processing/operating means/units is located on the display body but outside of and operating independently of contact with the display and operable when the display is in the turned rotated position wherein both first and second processing/operating means/units are located on the same side of the display when the display is in the open position while the first processing/operating means./unit further comprising an operating button and the second processing/operating means/unit comprises an operating device for displaying and selecting of a system menu showing processing items, in combination with the further limitations of claims 1, 9, 17 and 25 respectively.

In reference to claims 5, 7, 8, 13, 15, 16, 21, 23, 24, 29 and 31, claims 5, 7, 8, 13, 15, 16, 21, 23, 24, 29 and 31 depend upon claims 1, 9, 17 and 25 and are therefore also deemed allowable.

In reference to claims 3, 11, 19 and 27, the prior art of record (Bird (U.S. Patent 5,341,154), Miyagawa et al. (U.S. Patent 5,594,619), Crooks et al. (U.S. Patent 5,208,736) and Isashi (U.S. Patent 5,898,600)) does not explicitly disclose the information processing device as claimed including the photographing case with photographing function, the first and second processing/operating means/units, one of which is located outside a display body of the device, separate from the keyboard configured to be operable when the display body is in each of an open position and turned rotated position and the other processing/operating means/units is

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located on the display body but outside of and operating independently of contact with the display and operable when the display is in the turned rotated position wherein both first and second processing/operating means/units are located on the same side of the display when the display is in the open position while the first processing/operating means./unit further comprising an operating button and the second processing/operating means/unit comprises an operating device for displaying and selecting of a system menu showing processing items, in combination with the further limitations of claims 3, 11, 19 and 27 respectively.

In reference to claims 6, 14, 22, 30 and 32, claims 6, 14, 22, 30 and 32 depend upon claims 3, 11, 19 and 27 and are therefore also deemed allowable.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung, can be reached at (571) 272-7794.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

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**571-273-8300 (Central Fax)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (571) 272-2600.

aac  
  
10/4/07